

Required wording for the use of an Irrevocable Standby Letter of Credit to meet the bonding requirements for Sewerage Systems as permitted by the Division of Water Resources of the Tennessee Department of Environment and Conservation.

BANK LETTERHEAD

IRREVOCABLE STANDBY LETTER OF CREDIT

Director
Division of Water Resources
Tennessee Department of Environment and Conservation

Dear Sir or Madam:

We hereby establish our Irrevocable Standby Letter of Credit No. ____ in your favor, at the request and for the account of [owner's or operator's name and address] up to the aggregate amount of [in words] U.S. dollars \$____, available upon presentation of

(1) your sight draft, bearing reference to this letter of credit No. ____, and

(2) your signed statement reading as follows: "I certify that the amount of the draft is payable pursuant to permits issued under the Tennessee Water Quality Control Act of 1977, Tennessee Code Annotated Section 69-3-122 et seq. as amended".

This letter of credit is effective as of [date] and shall expire on [date at least 1 year later], but such expiration date shall be automatically extended for a period of [at least 1 year] on [date] and on each successive expiration date, unless, at least 120 days before the current expiration date, we notify both you and [owner's or operator's name] by certified mail that we have decided not to extend this letter of credit beyond the current expiration date. In the event you are so notified, any unused portion of the credit shall be available upon presentation of your sight draft for 120 days after the date of receipt by both you and [owner's or operator's name], as shown on the signed return receipts.

Whenever this letter of credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us, and we shall pay the amount of the draft in accordance with the instructions of the Commissioner of the Tennessee Department of Environment and Conservation or his/her designee.

We certify that the wording of this letter of credit is identical to the wording provided by the Department.

(Signature(s)) _____

{Name(s)} Printed _____ Title _____

_____ Title _____

{Corporate Seal}:

Date of Signatures(s): _____

|This credit is subject to [insert “the most recent edition of the Uniform Customs and Practice for Documentary Credits, published and copyrighted by the international Chamber of Commerce.” or “the Uniform Commercial Code”].